

38. (NEW) The computer program carrier of claim 37 above, further comprising retrieving the filler content from the server computer connected to the network.

39. (NEW) The computer program carrier of claim 27 above, wherein the identifying step is performed either at the client computer or at a server computer connected to the network

40. (NEW) The computer program carrier of claim 27 above, wherein the presenting step further comprises presenting the filler contents without interrupting the accessing of the data from the network.

41. (NEW) The computer program carrier of claim 27 above, further comprising deactivating the presenting step when the accessing of the data on the network is complete.

#### REMARKS

##### I. INTRODUCTION

In response to the Office Action dated March 15, 2000, claims 1, 5, 8, 10, 12, and 13 have been amended, claim 14 has been cancelled, and new claims 27-41 have been added. Claims 1-13 and 15-41 are in the application. Re-examination and re-consideration of the application, as amended, is requested.

##### II. CLAIM AMENDMENTS

Applicants' attorney has made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required to distinguish the claims over the prior art.

Further, claim 14 was cancelled and replaced with new claim 27. New claims 28-41 were added as dependents from claim 27, in the same manner as dependent claims 2-13 and 15-26.

##### III. PRIOR ART REJECTIONS

In paragraphs (2)-(16) of the Office Action, claims 1-26 were rejected under 35 U.S.C. §103 as being obvious in view of the combination of U.S. Patent No. 5,572,643 to Judson and IBM



Technical Disclosure Bulletin (TDB) Vol. 40, No. 9, entitled "Proactive Universal Resource Locators Lookup in Internet Web Browsers."

Applicants respectfully traverse these rejections.

Independent claims 1, 15, and 27 are generally directed to an invention that alleviates problems associated with delays in accessing data on a network. First, data is accessed on a network from a client computer. The invention then identifies when a delay occurs during the accessing of the data. Thereafter, the invention presents filler contents on the client computer during the identified delay, wherein the filler contents are customized to a user's taste. Neither of the cited references teach or suggest these various elements of Applicants' independent claims.

Judson describes a method of browsing the Worldwide Web of the Internet using an HTML-compliant client supporting a graphical user interface and a browser. The method begins as a web page is being displayed on the graphical user interface, the web page having at least one link to a hypertext document preferably located at a remote server. In response to the user clicking on the link, the link is activated by the browser to thereby request downloading of the hypertext document from the remote server to the graphical user interface of the client. While the client waits for a reply and/or as the hypertext document is being downloaded, the browser displays one or more different types of informational messages to the user. Such messages include, for example, advertisements, notices, messages, copyright information and the like.

The IBM TDB discloses a web browser wherein, while the user is reading a web page, the idle time is utilized by checking the web site URLs listed on the current web site to see if the user would encounter any problems if any of these links were followed.

As noted by the Office Action, Judson does not teach or suggest the Applicants' claimed limitations of identifying when a delay occurs during the accessing of the data, and the presenting filler contents on the client computer during the identified delay. However, the Office Action asserts that the IBM TDB teaches a system which identifies possible problems associated with delays in web pages. Thus, the Office Action asserts that it would have been obvious to incorporate the method of identifying access delays taught by IBM TDB in the system of Judson in order to increase the efficiency of the system by selectively displaying filler contents to only those links with high latency.

Applicants disagree. Even when combined, the references do not teach or suggest the Applicants' claimed limitations of identifying when a delay occurs during the accessing of the data,



and then presenting filler contents on the client computer during the identified delay. Instead, Judson teaches that informational messages are always displayed while the client is waiting for a reply, regardless of whether a delay occurs during the accessing of data. Moreover, the IBM TDB teaches that web site URLs should be checked while the user is reading a web page, not while the client is waiting for a reply to a previous request.

Thus, the references actually teach away from the Applicants' invention because they both perform their specified actions without identifying a delay while the client is accessing data (i.e., between the request and the response). Indeed, Judson apparently always assumes that there will be sufficient delay in the client accessing data that informational messages can be displayed, while the IBM TDB waits until after the data has been accessed, while the user is reading the accessed data, to check URLs. In contrast, the Applicants' claimed invention presents filler content only when a sufficient delay has been identified during the accessing of the data.

Consequently, the various elements of the Applicants' claimed invention together provide operational advantages over the systems disclosed in Judson and the IBM TDB. In addition, Applicants' claimed invention solves problems not recognized by Judson and the IBM TDB.

Thus, Applicants submit that independent claims 1, 15, and 27 are allowable over Judson and the IBM TDB. Further, dependent claims 2-13, 16-26, and 28-41 are submitted to be allowable over Judson and the IBM TDB in the same manner, because they are dependent on independent claims 1, 15, and 27, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 2-13, 16-26, and 28-41 recite additional novel elements not shown by Judson and the IBM TDB.

#### IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectively solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.



Respectfully submitted,

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By their attorneys,

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